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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/676,112	10/02/2003	Ali Velasco	14067.01	6015

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EXAMINER

CHEN, JOSE V

ART UNIT	PAPER NUMBER
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3637

DATE MAILED: 08/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/676,112

Applicant(s)

VELASCO, ALI

Examiner

Shelley Self

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-6 is/are allowed.
- 6) ☒ Claim(s) 7, 8 and 14 is/are rejected.
- 7) ☒ Claim(s) 9-13 and 15-20 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 October 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 10/2/03.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### *Claim Objections*

With regard to the following claims, it is unclear if Applicant is invoking 35 U.S.C. 112 6<sup>th</sup>, paragraph:

- Claim 3, line 15; clm. 9, line 15; clm. 17, line 15; *“means of said slide pins”*
- Claim 3, lines 36, 37, 41, 42; claim 9, lines 36, 37, 41, 42; & claim 17, lines 36, 37, 41, 42; *“means of each said guide block”*

Clarification is required.

Claim 7, line 7, is objected to because of the following informality:

*“said first and said second table top portion”* should be **—said first and said second table top portions—**

Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 7 is rejected under 35 U.S.C. 102(b) as being anticipated by Panzer (2,618,525).

Panzer discloses a portable folding table (fig. 1) comprising a table top folding support leg

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assembly (12); a table top storage area disposed within said support leg assembly (12) when said support leg assembly is folded (fig. 5); a first table top portion (19); and a second table top section (18) pivotally attached (20a; fig. 5) to said first table top portion (19), said first and said second table top portions each having an upper surface and a lower surface opposite said upper surface (figs. 1-3); and wherein each said table top portion is stored within said table top storage area when said support leg assembly (12) is folded together with said upper surface of each said table top portion (18, 19) in facing contact with one another (fig. 5).

Additionally claim 7 is rejected under 35 U.S.C. 102(b) as being anticipated by Birkeland (6,240,987). Birkeland discloses a portable folding table (figs. 1, 3) comprising: a table top folding support leg assembly (18, 20); a table top storage area disposed within said support leg assembly when said support leg assembly is folded (fig. 2-6); a first table top portion (12); and a second table top portion (54) pivotally attached (col. 5, lines 56-65) at said first table top portion (12), said first and said second table top portions (12, 54) each having an upper surface and a lower surface opposite said upper surface (fig. 1-6); and wherein each said table top portion is store within said table top storage area (figs. 3- 6) when said support leg assembly (18, 20) is folded, with each said table top portion folded together with said upper surface of each said table top portion in facing contact (fig. 1; ref. character 108) with one another (col. 7, lines 38-44).

Claim 14 is rejected under 35 U.S.C. 102(b) as being anticipated by Brazell (5,611,378). Brazell discloses a folding router table (fig. 1) comprising a first table top portion (14); a second table top portion (16), pivotally attached (figs. 1, 2) to said first table top portion (14), said first and said second table top portions each having an upper surface and a lower surface opposite

said upper surface (figs. 1, 2); a power tool position adjustment mechanism (22; col. 4, lines 36-64) affixed to and depending below (figs. 5, 6) said first table top portion (14), providing positional adjustment in mutually orthogonal first and second directions; and a router (18) affixed to said positional adjustment mechanism.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Birkeland (6,240,987) in view of Brazell (5,611,378). Birkeland discloses a power tool/router (100) mounted beneath a table portion (fig. 6) of the folding table. Birkeland does not disclose a power tool positional adjustment mechanism. Brazell teaches in a closely related art a table having first and second portions (14, 16) wherein the table portions are pivotally attached (24; fig. 1) and a power tool/router affixed beneath one of the table portions. Further Brazell teaches the use of a tool adjusting mechanism (22; col. 4, lines 36-64) coupled beneath one of the table portions. Because the references are from a closely related art and deal with a similar problem, (i.e. affixing a router beneath a table portion wherein a plurality of table portions are pivotally coupled) it would have been obvious at the time of the invention to one having ordinary skill in the art to provide Birkeland's table with a tool position adjustment mechanism so to adjust Birkeland's router (100) relative to a table portion as taught by Brazell.

*Allowable Subject Matter*

Claims 1-6 are allowable over the prior art of record.

Claims 9-13 and 15-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: The prior art of record does not disclose or fairly suggest a folding table comprising *fixed rail pivotally affixed to said table top support end of each said bracket; and a slide rail slidingly secured to each said fixed rail* in combination with the rest of the claimed limitations as set forth in claims 1, 13 and 15.

Additionally, the prior art of record fails to disclose or fairly suggest a folding table having a power tool positional adjustment mechanism comprising *a pair of fixed guides... including a guide channel formed therein...a moving guide track disposed in each said guide channel; a moving guide bracket affixed to and extending inwardly from each said moving guide track* in combination with the rest of the claimed limitations as set forth in claims 9 and 17.

The prior art reference, Panzer discloses a folding table wherein two table portions (18, 19) are pivotally attached (20, 20<sup>a</sup>) along a longitudinal axis of the table portions (fig. 1). Panzer discloses that the table portions (18, 19) are pivoted such that the facing surfaces of each table portion (18, 19) are in facing contact (fig. 5). Further Panzer discloses leg assemblies (12) pivotally connected (15, 16) to each table portion (18, 19) such that when folded, the table portions (18, 19) rest in a storage area in the leg assemblies (12). Panzer is silent to any sliding rail, power tool mounting to the table portions and power tool positional adjustment mechanism.

Accordingly, Panzer neither anticipates nor renders obvious the claimed invention as set forth in claims 1, 9, 13, 15 and 17.

The prior art reference, Birkeland discloses a folding router table (fig. 1) comprising a plurality of table portions (12, 54) pivotally attached wherein a router (100) is affixed beneath one of the table portions. Birkeland discloses the leg assembly of the router table to be a folding assembly (figs. 1-4, 8) for ease of transport. Additionally, Birkeland discloses that at least one of the table portions (54) is pivotable into a space; such that at least one table (54) and table (12) are arranged in facing contact (fig. 1; with reference to 108). Birkeland shows wheels (50) affixed to a pivotal end at which at least one table (54) and table (12) are coupled such that the other table (54) in combination with end rails (60, 62) can be used as a handle to transport the folded table. Further Birkeland discloses a router (100) affixed to a table portion (fig. 6) via a mounting plate (98), such that the mounting plate (98) serves as a tool attachment fixture. Birkeland however does not disclose any power tool positioning adjusting mechanism or slide rails. Thus Birkeland fails to anticipated or render obvious the claimed invention as set forth in claims 1, 9, 13, 15 and 17.

Brazell discloses a router table having vertical support legs wherein two table portions (14, 16) are pivotally attached (24) and a router (18) is affixed beneath table portion (14) via a mounting plate (figs. 6, 8). Brazell disclose an adjustment mechanism (22) for dusting the positioning of the router or power tool. Brazell teaches the positional adjusting mechanism to consist of a handle (96), shaft (100) and plate (102) for positioning the router (18) relative to the table (14). Brazell however fails to disclose folding leg assemblies with sliding rails or the positional adjusting mechanism comprising, guides having channels and a moving guide track

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and moving guide bracket. Accordingly Brazell fails to disclose the claimed invention as set forth in claims 1, 9, 13, 15, 17.

Neither the prior art of record nor any combination thereof discloses the claimed invention as set forth in claims 1, 9, 13, 15 and 17. Accordingly, claims 1-6 are deemed allowable over the prior art of record. Claims 9, 13, 15, 17 and their dependents contain allowable subject matter over the prior art of record.

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shelley Self whose telephone number is (571) 272-4524. The examiner can normally be reached Mon-Fri from 8:30am to 5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, Derris Banks can be reached at (571) 272-4419. The fax phone numbers for the organization where this application or proceeding is assigned are (571) 273-8300 for regular and After Final communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on accessing the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SSelf

July 28, 2005

  
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